THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 23412 of 2006.

DATED: 10-11-2006

Between:

M.Suresh Chandra Reddy

…Petitioner

and

The Special Deputy Collector,
Land Acquisition (Industries),
Hyderabad and others.

…Respondents.

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.No. 23412 of 2006.

Oral order:

This writ petition is directed against the order of the 4th respondent dated 20-5-2002 rejecting the petitioner's application for cancellation of mutation proceedings of land in Sy.Nos. 218, 219, 220, 221, 245 and 250 of Kapra Village, Keesara Mandal, Ranga Reddy District and praying that the 4th respondent should not give effect to the settlement dated
3-9-2000 under the provisions of the R.O.R.Act, 1971.

Earlier, by the proceedings dated 2-4-2002 the 4th respondent on an application of the party respondents herein recognized a family settlement reduced into writing on 3-9-2000 and on that basis, exercising powers under the R.O.R.Act, 1971, recorded entries in the revenue records. Impeaching the said action, the petitioner filed the application dated 6-5-2002 to the 4th respondent for recalling the order dated 2-4-2002. The only ground pressed by the petitioner for impeaching the order of the 4th respondent dated 2-4-2002 is that it is based on the basis of a partition deed dated 3-9-2000 which is not registered and hence ought not to have been taken into consideration as it was compulsorily registerable. By the impugned order the 4th respondent has rightly concluded that the legal representatives of late Ram Reddy have partitioned orally all their ancestral and self-acquired properties on 16-8-2000 by metes and bounds and on that basis and for the purpose of record they reduced the earlier family settlement into writing on 3-9-2000 confirming earlier the oral family settlement dated

16-8-2000 and as such the said instrument is not compulsorily be registrable.

The order of the 4th respondent dated 20-5-2002 suffers from no infirmities either of law or of exercise of discretion, warranting interference by this Court.

The writ petition is misconceived and it is accordingly dismissed at the stage of admission. There shall be no order as to costs.

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GODA RAGHURAM, J

10th November, 2006.
GRR